



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

Air Pollution Control Division
9th Floor, L & C Annex, 401 Church Street
Nashville, Tennessee 37243-1531

June 29, 2004

J.I. Palmer, Jr.
Regional Administrator
US EPA, Region IV
Atlanta Federal Center, 12th Floor
61 Forsyth Street, SW
Atlanta, GA 30303

RE: Submittal of June 30, 2004 Progress Report for Early Action Compact Areas


Dear Mr. Palmer:

Enclosed is a copy of the June 30, 2004 Progress Report in accordance with the Early Action Compact (EAC) requirements. This submittal includes documentation from each of the EAC areas in Tennessee and is being submitted to you on their behalf to meet the June 2004 milestone.

Included in this submittal is a summary of meetings, hearings and SIP developments, and the Progress Reports for the Chattanooga, Nashville, and Tri-Cities EAC areas.

I believe this submittal satisfies the requirements of the June 2004 EAC milestone, but if additional information is needed or if you have questions, please do not hesitate to contact me.

Sincerely,


Barry R. Stephens, P.E., Director
Division of Air Pollution Control

Enclosures

cc: Kay Prince, Karen Borel, Dick Schutt, Anne Marie Hoffman, EPA Region IV

electronic copies to: TN Air Pollution Control Board
TN Local Air Programs

EARLY ACTION COMPACT

PROGRESS REPORT

JUNE 2004

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL

The following list contains a compilation meetings and hearings held since the previous progress report:

JANUARY

- 7 Clean Air Partnership of Middle Tennessee meeting
- 8 Meeting with EAC Advisory Committee subcommittee chairs
- 13 APC met with the Hendersonville City Government to discuss EACs and open burning issues.
- 14 Clean Air Partnership of Middle Tennessee meeting
- 22 Wilson County Air Quality Forum to discuss Air Quality Issues and Early Action Compacts. Attended by various TDEC staff.

FEBRUARY

- 4 Clean Air Partnership of Middle Tennessee meeting
- 6 EAC Advisory Committee Technical Assistance subcommittee call
- 12-13 ATMOS Meeting in Memphis, Tennessee
- 19 Update on EAC activities at the Tennessee Air Pollution Control Board meeting
- 24 Meeting with Dept. of Education and State Board of Education re school bus strategies

MARCH

- 1 Meeting with American Lung Association regarding partnership ideas
- 1 Conference call with EPA rapid response team and EAC stakeholders to discuss questions and issues related to Motor Vehicle Inspection and Maintenance.
- 4 Washington County Economic Development Board meeting
- 5 East Tennessee Environmental Forum presentation
- 10 EAC update at the Tennessee Air Pollution Control Board meeting
- 11 Tennessee Pollution Prevention Roundtable
- 16 Clean Air Partnership of Middle Tennessee meeting
- 16 Region IV EAC Conference call
- 19 Quincy Styke presented at the AWMA meeting on Air Quality and Early Action Compacts in Tennessee.

- 23 Conference call with UT Memphis Center for Health Services and TEC re EAC forum
- 25 TDEC Commissioner Betsy Child and Quincy Styke met with the Knox County Chamber of Commerce
- 31 Clean Air Partnership of Middle Tennessee meeting

APRIL

- Development of an air quality information brochure (April - June). This brochure is being printed by the Tennessee Department of Health.
- 1 TDOT Meeting to discuss Long Range Transportation Plan
- 13 Clean Air Partnership of Middle Tennessee meeting
- 17 Earth Day display – Clean Air Partnership of Middle Tennessee
- 19 APC public hearing on proposed rules was held at TDEC
 - IM expansion
 - Stage I & II
 - Motor Vehicle Tampering
 - Restriction on vehicle idling and smoking
- 22 Earth Day event with Dept of Education promoting clean air
- 27 EAC forum conference call
- 27 Governor and TDEC Commissioner met with proposed ozone nonattainment counties
- 27 Clean Air Partnership of Middle Tennessee meeting
- 28 Meeting in Cookeville with the Executive Directors of the two Clean Cities Coalitions in Tennessee to discuss alternative fuels
- 29 Conformity conference call with TDOT, MPOs, Federal Highway Administration, and EPA

MAY

- 3 Regional Clean Air Coalition of East Tennessee Media Meeting, Knoxville
This meeting was a media event to promote the Air Quality Air Alert program. There were about 30 media people from television, newspaper, and radio. TDEC gave a brief presentation about the Air Quality Alert Program that is taking place in that area.

Development of Clean Air Tennessee web site (May and June)

- 7 Conference call with Wayne Davis, Terry Miller, Mike Vandenberg, Bill Parkhurst and Laura Artates to discuss the best public messages on steps that citizens can take to reduce air pollution. The purpose was to develop recommended messages for regional air quality alert programs.
- 12 Clean Air Partnership of Middle Tennessee meeting
- 19 Legislation (House Bill No. 3498) was passed allowing the Air Board provisions for IM expansion and prohibitions for motor vehicle tampering. Legislation signed by the Governor June 8, 2004.

- 24 TDEC/APC staff met with Clarksville MPO, Mayors, and Ft. Campbell staff to discuss an Air Quality Action Day program, Transportation Conformity, and ozone nonattainment
- 25 Planning call for June 22 Air Quality Forum - UT Health Science Center
- 27 Air Quality Toolkit conference call (EPA Region 4, Georgia Power, TVA, Georgia EPD)
- 27 TDEC Commissioner met with Knox and surrounding county mayors in Knoxville to discuss air quality

JUNE

- 7-9 Tennessee Association of Pupil Transportation Annual Meeting PowerPoint presentation on reducing emissions from diesel school buses
- 9 Tennessee Air Pollution Control Board discussed
 - Update on Ozone Early Action Compact (EAC) and Non-Attainment Designations
 - Update on likely PM 2.5 Non-Attainment Areas
 - I/M Update Status (Legislative Bill Act)
- 21 Conference call with Clarksville MPO, Mayors, Fort Campbell staff, Clean Fuels Coalition, and TVA to discuss an Clean Fuels, Transportation Conformity, and ozone nonattainment
- 22 Spreading the Word: Air Pollution and Health - a public health forum
- 23 Clean Cities of Middle Tennessee Advisory Committee meeting
- 24 Hopkinsville MSA and Clarksville -This meeting to discuss an Air Quality Air Program and how to get it in place for the area. TDEC committed to providing an air quality forecast for the area.
- 30 Air Quality Toolkit planning meeting in Atlanta

JULY

- 14-15 Tennessee Air Pollution Control Board meeting scheduled

Development of the State Implementation Plan (SIP)

The State's development of the SIP is due December 31, 2004, and no anticipated obstacles are expected for completing this or any future EAC milestones in the Nashville, Chattanooga, or Tri-Cities EAC areas.

May 19, 2004, Legislation (House Bill No. 3498) was passed allowing the Tennessee Air Pollution Control Board provisions for vehicle inspection and maintenance expansion and prohibitions for motor vehicle tampering. The Governor signed this legislation June 8, 2004.

The following proposed rules summarized below went out to hearing on April 19, 2004 for public comment:

RULE SUMMARY

Chapter 1200-3-29 Light-Duty Motor Vehicle Inspection and Maintenance

Purpose: To broaden the scope of the exiting rule to achieve additional emissions reductions and allow for expansion.

Area of Applicability: To be determined by the Air Board

Proposed Changes:

- Requires gasoline and diesel vehicles 1975 and newer with a gross vehicle weight rating up to 14,000 pounds or less to pass an emissions inspection prior to registration renewal
- Requires the Air Board to designate counties subject to the rule
- Removes the exemption for diesel powered vehicles

(New) Chapter 1200-3-36 Motor Vehicle Tampering

Purpose: To reduce the air pollution caused by tampering with a motor vehicle emission system

Area of applicability: Statewide

Pertinent Facts:

- This rule is to prevent persons from tampering with the vehicle's emissions controls may which results in an increase in emissions beyond established federal standards.
- The rule identifies what is specifically prohibited (Example: removing catalytic converter)

(New) Chapter 1200-3-37 Mobile Source Prohibitions

Purpose: To reduce the air contaminants produced by the operation of mobile sources (i.e. gross polluting vehicles and needless idling).

Area of Applicability: Statewide

Pertinent Facts:

- Smoking Restrictions – A rule to abate excessive emissions from vehicles that are visibly smoking during their normal operation.
- Idling Restrictions – to minimize idling of heavy duty diesel engines

Chapter 1200-3-18 Volatile Organic Compounds

Purpose: To amend the existing rules by expanding the applicability requirements for Stage I and II gasoline vapor emission controls.

Area of Applicability: Early Action Compact Counties

Proposed Changes:

- Allows for a 3 year phase in from the effective date of the rule to have equipment installed
- Stage I requires gasoline tank trucks delivering or receiving gasoline to use vapor emission control
- Stage II requires vapor emission control at gasoline dispensing facilities (Pumps). Pending review by the Air Board.

Public Hearing for the following NOx RACT proposed rule was held August 19, 2003.

Chapter 1200-3-27 Nitrogen Oxides

Purpose: A new Rule 1200-3-27-.08 is added to Chapter 1200-3-27 as part of a State program to reduce NOx emissions from stationary sources.

Area of Applicability: To be determined by the Air Board

Proposed Changes:

To require certain size stationary sources with NOx emissions to undertake a review and determine if they have reasonably available controls to minimize NOx formation and if not, to install controls.

All of the above rules will be presented to the Air Pollution Control Board for consideration July, 14, 2004.

TRI-CITIES TENNESSEE EARLY ACTION COMPACT

PROGRESS REPORT

JUNE 2004

- 1. Document progress that the local compact area and State have made since the last progress report (December 2003) regarding development of control strategies and early action plans submitted March 31, 2004.**

The local governments of the Tri-Cities Early Action Compact have implemented a portion of its list of likely control measures and is pursuing adoption of the remaining portion. The local Ozone Action Day program, a voluntary program, has been operational since the beginning of ozone season. This program aims at providing a daily ozone forecast to local media outlets and provides an Ozone Action Day Alert if ozone levels are forecast to be at or above the 8 hour standard.

A ban on opening burning during Ozone Action Days is currently being pursued by the local governments in the Compact. Each of the local governing bodies would likely approve a similar resolution banning open burning of wood wastes and landscape debris on such days. A meeting of local officials to discuss the road map to achieve this goal is scheduled for July 7, 2004.

- 2. Document progress that the local area has made towards adoption and implementation of local measures, including schedule for adoption and implementation of these measures, any changes in the schedule, and any additions or deletions of measures since the submission of March 31, 2004 plans.**

Each County in the Compact is pursuing adoption of a ban on open burning during Ozone Action Days. Each of the Counties will have this control measure implemented in the next few months. As stated earlier, the local Ozone Action Day program has been implemented since May. This particular control measure is an established program and was the first of its type in Tennessee when implemented 2 years ago.

- 3. Describe progress that the State or local area has made in completing technical analyses for attainment demonstration due December 31, 2004, including any additional modeling or analyses since submission of March 31, 2004 plans.**

The attainment demonstration was completed and submitted for the March 31, 2004 submittal. The attainment demonstration shows the Tri-Cities area should attain the 8 hour ozone standard by December 31, 2007.

4. Describe any meetings conducted by the stakeholders since December 31, 2003.

Periodic updates are provided to the County Mayors of the Early Action Compact counties. The Region's Ozone Action Partnership has assumed responsibility for providing these updates and conducting public meetings when necessary. Since December 31, 2004, the Ozone Action Partnership conducted 1 public meeting in Blountville, Tennessee at the Sullivan County Health Department. At this meeting an update on the progress of the Early Action Compact timeline was given as well as a presentation from Tennessee's Deputy Director of Air Pollution Control.

5. Document current progress of the State's development of the SIP (due December 31, 2004), including schedule for adoption and implementation of State regulations, as well as a description of public meetings and/or hearings that have occurred or will be conducted prior to SIP submission.

The State's development of the SIP is due December 31, 2004, and no anticipated obstacles are expected for completing this or any future EAC milestones in the Nashville area.

May 19, 2004, Legislation (House Bill No. 3498) was passed allowing the Tennessee Air Pollution Control Board provisions for vehicle inspection and maintenance expansion and prohibitions for motor vehicle tampering. The Governor signed this legislation June 8, 2004.

April 19, 2004, the following rules summarized below went out to public hearing for comment:

Expansion of vehicle testing requirements (heavier weight class, remove exemption for diesels, and add additional counties

Prohibition for statewide motor vehicle tampering

Restrictions for excessive idling and smoking heavy-duty vehicles

Expansion of the counties subject to Stage I & II vapor control

The above mentioned rules as well as the NOx RACT rule will be presented to the Air Pollution Control Board for consideration July, 14, 2004.

6. Describe any obstacles toward completing the December 31, 2004 milestone or any future milestones.

At this time, no difficulties are anticipated in implementing the local control measures or meeting the other requirements of the Tri-Cities Tennessee area Early Action Compact.